



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor	: Mark W. Bergman	Group Art Unit: 1762 Examiner: Bareford, Katherine A.
Appln. No.	: 10/730,691	
Filed	: December 8, 2003	
Title	: HAND-HELD VESSEL	
Docket No.	: B787.12-0008	

**DECLARATION UNDER RULE 132**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I, David Gerber, hereby declare as follows:

1. I am currently employed at Hirshfields, Inc., which is a long-standing Minnesota-based company that deals in commercial wall coverings, paint manufacturing, and industrial coatings. I have been with Hirshfields for 16 years, and have been a product manager for about the last six years. While working with Hirshfields, I handle marketing issues, decide which products Hirshfields should sell, and purchase products for Hirshfields' Paint Sundry Department. Prior to my employment at Hirshfields, I worked for 15 years with Cotter & Company, which became True Value Company in 1997. I held the position of District Manager while I was with Cotter & Company. Accordingly, I have substantial experience with products in the painting industry.
3. I first learned of Mr. Bergman's idea while working with Hirshfields. In my position at Hirshfields, I typically see a lot of new product ideas for the painting industry. Mr. Bergman showed me an initial concept of his invention, which was a coffee container with a tape strap adhered to the container wall. Because I meet a the large number of people with a wide variety of new product ideas, I was skeptical of his idea at first. However, I told him I would like to see his completed product. Soon after, Mr. Bergman came back with the HANDy Paint Pail container. It looked like a great idea. At the time, I figured we'd sell a few hundred the first year. However, we wound up selling several thousand that year. I was surprised by the level of commercial success the HANDy Paint Pail container attained in such a short time period.

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I declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

DAVID GERBER

  
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Date: 5/16/2005